

## Message Text

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ACTION EA-10

INFO OCT-01 ISO-00 CIAE-00 PM-03 H-02 INR-07 L-02 NSAE-00

NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 SAJ-01 OMB-01

/057 W

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P R 190530Z MAR 75

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC PRIORITY 8755

INFO COMUSJAPAN YOKOTA JAPAN

CINCPAC HONOLULU HAWAII

JCS WASHDC

SECDEF WASHDC

CASF WASHDC/JA

DA WASHDC/DAJA

NAVY JAG WASHDC

CINCPACAF HICKAM AFB HI/JA

5TH AIR FORCE YOKOTA JAPAN

AMCONSUL NAHA

C O N F I D E N T I A L TOKYO 3564

CINDPAC FOR POLAD

E.O. 11652: ADS DECLAS UPON PUBLIC ANNOUNCEMENT

TAGS: MARR JA

SUBJ: IE SHIMA SHOOTING

BEGIN SUMMARY: GOJ HAS AGREED NOT TO OBJECT TO US EXERCISE  
OF PRIMARY JURISDICTION IN 1974 IE SHIMA SHOOTING INCIDENT  
AND HAS PROPOSED ACCEPTABLE SCENARIO FOR PUBLICLY DISPOSING  
OF ISSUE. END SUMMARY

1. FONOFF INFORMED EMBASSY MARCH 17 THAT GOJ HAD DECIDED  
NOT TO PRESS FOR JURISDICTION IN IE SHIMA SHOOTING INCIDENT.  
WITHOUT PREJUDICE TO ITS POSITION ON CASE, GOJ WILL NOT OBJECT  
TO USG EXERCISE OF JURISDICTION. THIS MEETS BASIC USG REQUIREMENT.

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2. FONOFF ALSO PROPOSED SCENARIO FOR PUBLICLY DISPOSING OF

ISSUE. ANNOUNCEMENT OF GOJ DECISION NOT TO OBJECT TO USG EXERCISE OF JURISDICTION WILL BE MADE IN CONTEXT OF JOINT COMMITTEE CONSIDERATION OF MATTER. FONOFF HAS PROPOSED INCLUSION IN ANNOUNCEMENT OF A STATEMENT BY USG WITH FOLLOWING ELEMENTS: (A) USG REGRET FOR MISUNDERSTANDING CAUSED BY INITIAL DECLARATION THAT IT WOULD NOT ISSUE DUTY CERTIFICATE; (B) USG REGRET THAT INCIDENT OCCURRED AND ASSURANCE THAT IT HAS TAKEN ALL POSSIBLE MEASURES TO PREVENT RECURRENCE; (C) USG READINESS TO PAY COMPENSATION TO VICTIM; AND (D) USG INTENT TO TAKE APPROPRIATE ACTION WITH RESPECT TO OFFENDERS IN ACCORDANCE WITH UCMJ AND TO INFORM GOJ OF RESULTS (FONOFF UNDERSTANDS THAT USG CAN MAKE NO COMMITMENT AS TO OUTCOME OF THESE PROCEDURES).

3. FONOFF EXPECTS STRONG ADVERSE REACTION TO OUTCOME AND THEREFORE WANTS TO MAKE PUBLIC ANNOUNCEMENT DURING DIET BREAK FOR ELECTIONS IN MID-APRIL. BELIEVE WE CAN WORK OUT NECESSARY JOINT COMMITTEE ARRANGEMENTS TO PERMIT ANNOUNCEMENT AFTER SCHEDULED APRIL 10 JOINT COMMITTEE MEETING.

4. COMMENT: FONOFF OBVIOUSLY HAD DIFFICULT TIME IN OBTAINING INTER-MINISTERIAL APPROVAL. BELIEVE, HOWEVER, THAT IT PROVIDES SATISFACTORY BASIS FOR RESOLVING THIS ISSUE AND, UNLESS OBJECTIONS PERCEIVED, WE INTEND TO PROCEED WITHIN JOINT COMMITTEE FRAMEWORK WITH ARRANGEMENTS NEEDED TO CLOSE THIS MATTER ALONG LINES PROPOSED BY FONOFF.

5. THIS MESSAGE COORDINATED WITH COMUSJ.  
HODGSON

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** MILITARY PERSONNEL, PUBLIC DISCLOSURE, IE SHIMA, COURTS MARTIAL  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 19 MAR 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** RowellE0  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975TOKYO03564  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** AS UPON PUBLIC ANNOUNCEMENT  
**Errors:** N/A  
**Film Number:** D750095-0151  
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**Office:** ACTION EA  
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**Page Count:** 2  
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**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** RowellE0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 15 JUL 2003  
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**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** IE SHIMA SHOOTING BEGIN SUMMARY: GOJ HAS AGREED NOT TO OBJECT TO US EXERCISE  
**TAGS:** MARR, JA, YQ, US  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006